

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

AVERITT EXPRESS, INC.,

Plaintiff.

v.

No. 4:20-cv-1362-P

KYLE M. AVERITT ET AL.,

Defendants.

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES
MAGISTRATE JUDGE**

The United States Magistrate Judge made Findings, Conclusions, and a Recommendation in this case. ECF No. 29. No objections were filed, and the Magistrate Judge's Recommendation is ripe for review. The District Judge reviewed the proposed Findings, Conclusions, and Recommendation for plain error. Finding none, the undersigned District Judge believes that the Findings and Conclusions of the Magistrate Judge are correct, and they are accepted as the Findings and Conclusions of the Court.

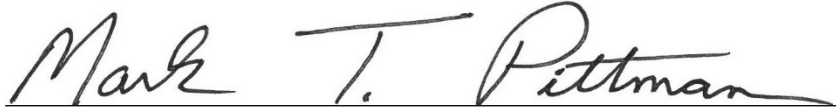
It is therefore **ORDERED** that Plaintiff Averitt Express, Inc.'s Motion for Finding of Contempt (ECF No. 23) should be, and is hereby, **GRANTED**.

It is further **ORDERED** that the Court sets a **SHOW CAUSE** hearing at **8:30 a.m. on Tuesday, December 14, 2021** in the Fourth Floor Auxiliary Jury Room of the Eldon B. Mahon United States Courthouse at 501 W. Tenth Street, Fort Worth, Texas 76102.

At the hearing, the undersigned will hear the evidence as to the conduct complained of and, if it is such as to warrant punishment, punish such person in the same manner and to the same extent as for a contempt committed before a district judge, including, but not necessarily limited to: (1) requiring Defendants to fully comply with the

permanent injunction set forth in the March 15, 2021 Default Judgment and Order (ECF No. 16); (2) reimbursing, after submission of detailed specification of the requested fee award with appropriate affidavits or other supporting documentation, Plaintiffs attorneys' fees and costs that are causally related to Plaintiffs Motion for Order to Show Cause and Finding of Contempt as well as Defendants failure to attend the November 2, 2021 show cause hearing; and (3) awarding such other relief to which Plaintiffs may be entitled to or that may be necessary to enforce this Court's orders.

SO ORDERED on this **23rd day of November, 2021.**

A handwritten signature in black ink, reading "Mark T. Pittman". The signature is written in a cursive, flowing style. The "M" is large and loops around the "a". The "T" is a simple vertical stroke. The "P" is large and loops around the "i". The "t" is a simple vertical stroke. The "m" is a simple vertical stroke. The "a" is a simple vertical stroke. The "n" is a simple vertical stroke. The signature is written on a horizontal line.

Mark T. Pittman

UNITED STATES DISTRICT JUDGE